

Sec. 28-114. Violations of article.

Violation of any provision of section 28-119 shall constitute a violation of the city's zoning regulations, subject to the enforcement provisions and penalties set forth within Chapter 34, sections 34-81 through 34-89 of the City Code. Any person violating any other provision of this article shall be guilty of a Class 3 misdemeanor.

(Code 1976, § 25-45.7; 12-1-03(2))

Cross reference—Penalty for Class 3 misdemeanor, § 1-11.

Sec. 28-115. Compliance with other laws and regulations.

(a) Prior to selling, displaying or offering for sale any food, beverage or merchandise, vendors must obtain any business license which may be required under Chapter 14 of this Code, any certificate of appropriateness required by section 28-119 of this article, and any other approval which may be required by the health department or any other agency with regulatory authority over the proposed vending operation.

(b) All required licenses, certificates, permits and approvals shall be displayed for public view on the vendor's stand, and no such item(s) shall constitute a "sign" for purposes of section 34-1024 of the city's zoning ordinance.

(Code 1976, § 25-45.6; 12-1-03(2))

Sec. 28-116. Vending permitted only in specified locations.

(a) Vending on public streets and sidewalks is prohibited, except in districts designated as business or mixed-use corridor districts under Chapter 34 of this Code.

(b) On the Downtown Pedestrian Mall and numbered streets between East Market Street and Water Street along the length of the Downtown Pedestrian Mall, all vendor stands shall be located within a space assigned by the director of neighborhood development services. The city manager shall promulgate regulations specifying the number of spaces available for use by vendors and the process, terms and conditions by which such spaces may be assigned and utilized. The location of each vendor stand space shall be shown on a map approved by the city manager and main-

tained available for public inspection within the city's department of neighborhood development services.

- (1) The city council will, from time to time, approve a schedule of the fees and charges associated with reservation of vendor stand spaces, including fees for obtaining a certificate of appropriateness pursuant to section 28-119. No space shall be reserved to any person until all applicable fee(s) have been paid.
- (2) Only persons holding valid certificates of appropriateness issued pursuant to section 28-119 may utilize an assigned vendor space on the Downtown Pedestrian Mall.
- (3) Use of all vendor stand spaces shall be in accordance with the requirements of this section and all other requirements of this article.

(Code 1976, § 25-45.1; 12-5-05(2))

Sec. 28-117. Coin-operated vending machines prohibited; exception.

No coin-operated vending machines shall be permitted in any portion of a public street, sidewalk or right-of-way, except for boxes for the vending of newspapers.

(Code 1976, § 25-45.2)

Sec. 28-118. Sales to persons in motor vehicles.

No vendor shall solicit or sell to persons in motor vehicles on the street, from a stand or otherwise.

(Code 1976, § 25-45.2)

Sec. 28-119. Certificate of appropriateness for stands.

(a) No vendor stand may be located or operated within a major architectural design control district, as defined within section 34-272 of the City Code, until it has been issued a certificate of appropriateness pursuant to this section. No certificate of appropriateness shall be required for a stand that is operated by a city market vendor pursuant to Chapter 8 of the City Code; however